

Thornberry	Walden (OR)	Wilson (NM)
Tiberi	Weldon (FL)	Wilson (SC)
Toomey	Weldon (PA)	Wolf
Turner (OH)	Weller	Young (FL)
Upton	Whitfield	
Vitter	Wicker	

NAYS—193

Abercrombie	Hill	Obey
Ackerman	Hinchey	Oliver
Alexander	Hinojosa	Ortiz
Allen	Hoefel	Owens
Andrews	Holden	Pallone
Baca	Holt	Pascrell
Baird	Honda	Pastor
Baldwin	Hoolley (OR)	Paul
Ballance	Hoyer	Payne
Becerra	Inslee	Pelosi
Bell	Israel	Peterson (MN)
Berkley	Jackson (IL)	Pomeroy
Berman	Jackson-Lee	Price (NC)
Berry	(TX)	Rahall
Bishop (GA)	Jefferson	Rangel
Bishop (NY)	John	Reyes
Blumenauer	Johnson, E. B.	Rodriguez
Boswell	Jones (OH)	Ross
Boyd	Kanjorski	Rothman
Brady (PA)	Kaptur	Roybal-Allard
Brown (OH)	Kennedy (RI)	Ruppersberger
Brown, Corrine	Kildee	Rush
Capps	Kilpatrick	Ryan (OH)
Capuano	Kind	Sabo
Cardin	Kleczka	Sanchez, Linda
Cardoza	Kucinich	T.
Carson (IN)	Lampson	Sanders
Carson (OK)	Langevin	Sandlin
Case	Larsen (WA)	Schakowsky
Clyburn	Larson (CT)	Schiff
Cooper	Lee	Scott (GA)
Costello	Levin	Scott (VA)
Crowley	Lewis (GA)	Serrano
Cummings	Lipinski	Sherman
Davis (AL)	Lofgren	Skelton
Davis (CA)	Lowey	Slaughter
Davis (FL)	Lucas (KY)	Snyder
Davis (IL)	Lynch	Solis
DeFazio	Majette	Spratt
DeGette	Maloney	Stenholm
Delahunt	Markey	Strickland
DeLauro	Marshall	Stupak
Deutsch	Matheson	Tanner
Dicks	Matsui	Tauscher
Dingell	McCarthy (MO)	Taylor (MS)
Doggett	McCarthy (NY)	Thompson (CA)
Doyle	McCollum	Thompson (MS)
Edwards	McDermott	Tierney
Emanuel	McGovern	Towns
Emerson	McIntyre	Turner (TX)
Engel	McNulty	Udall (CO)
Eshoo	Meek (FL)	Udall (NM)
Etheridge	Meeks (NY)	Van Hollen
Evans	Menendez	Velazquez
Farr	Michaud	Visclosky
Fattah	Millender-	Waters
Filner	McDonald	Watson
Frost	Miller (NC)	Watt
Gonzalez	Miller, George	Waxman
Gordon	Mollohan	Weiner
Green (TX)	Moore	Wexler
Grijalva	Moran (VA)	Woolsey
Gutierrez	Murtha	Wu
Hall	Nadler	Wynn
Harman	Napolitano	
Hastings (FL)	Oberstar	

NOT VOTING—32

Ballenger	Ford	Norwood
Boucher	Gephardt	Oxley
Clay	Gibbons	Sanchez, Loretta
Coble	Gillmor	Smith (TX)
Conyers	Hefley	Smith (WA)
Cramer	Jones (NC)	Stark
Davis (TN)	Lantos	Tiahrt
DeMint	LaTourette	Walsh
Dooley (CA)	Meehan	Wamp
Everett	Moran (KS)	Young (AK)
Fletcher	Neal (MA)	

□ 0613

Mr. FRANK of Massachusetts changed his vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid upon the table.

CONTROLLING THE ASSAULT OF NON-SOLICITED PORNOGRAPHY AND MARKETING ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that the motion to suspend the rules and pass the Senate bill S. 877, as amended, which is the spam bill that we have bipartisan agreement on, be modified by the amendment that is at the desk, which has been cleared with the other side.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Clerk will report the amendment.

The Clerk read as follows:

On page 17, line 8 strike “misleading” and insert “falsified.”

On page 27, line 9 strike “misleading” and insert “falsified.”

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 877, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. TAUZIN) that the House suspend the rules and pass the Senate bill, S. 877, as amended, on which the yeas and nays are ordered.

Without objection, this will be a 5-minute vote.

There was no objection.

The vote was taken by electronic device, and there were—yeas 392, nays 5, not voting 37, as follows:

[Roll No. 671]

YEAS—392

Abercrombie	Brady (TX)	Davis (CA)
Ackerman	Brown (OH)	Davis (FL)
Aderholt	Brown (SC)	Davis (IL)
Akin	Brown, Corrine	Davis, Jo Ann
Alexander	Brown-Waite,	Davis, Tom
Allen	Ginny	Deal (GA)
Andrews	Burgess	DeFazio
Baca	Burns	DeGette
Bachus	Burr	Delahunt
Baird	Burton (IN)	DeLauro
Baker	Buyer	Deutsch
Baldwin	Calvert	Diaz-Balart, L.
Ballance	Camp	Diaz-Balart, M.
Barrett (SC)	Cannon	Dicks
Bartlett (MD)	Cantor	Dingell
Barton (TX)	Capito	Doggett
Bass	Capps	Doolittle
Beauprez	Cardin	Doyle
Becerra	Cardoza	Dreier
Bell	Carson (IN)	Duncan
Bereuter	Carson (OK)	Dunn
Berkley	Carter	Edwards
Berman	Case	Ehlers
Berry	Castle	Emanuel
Biggert	Chabot	Emerson
Bilirakis	Chocola	Engel
Bishop (GA)	Clyburn	English
Bishop (NY)	Coble	Eshoo
Bishop (UT)	Cole	Etheridge
Blackburn	Collins	Evans
Blumenauer	Conyers	Farr
Blunt	Cooper	Fattah
Boehlert	Costello	Feeney
Boehner	Cox	Ferguson
Bonilla	Crane	Filner
Bonner	Crenshaw	Flake
Bono	Crowley	Foley
Boozman	Cubin	Forbes
Boswell	Culberson	Fossella
Boyd	Cummings	Frank (MA)
Bradley (NH)	Cunningham	Franks (AZ)
Brady (PA)	Davis (AL)	Frelinghuysen

Gallegly	Lucas (KY)	Ros-Lehtinen
Garrett (NJ)	Lucas (OK)	Ross
Gerlach	Lynch	Rothman
Gingrey	Majette	Roybal-Allard
Gonzalez	Maloney	Royce
Goode	Manzullo	Ruppersberger
Goodlatte	Markey	Rush
Gordon	Marshall	Ryan (OH)
Goss	Matheson	Ryan (WI)
Granger	Matsui	Ryun (KS)
Graves	McCarthy (MO)	Sabo
Green (TX)	McCarthy (NY)	Sanchez, Linda
Green (WI)	McCollum	T.
Greenwood	McCotter	Sanchez, Loretta
Grijalva	McCrery	Sanders
Gutierrez	McDermott	Sandlin
Gutknecht	McGovern	Saxton
Hall	McHugh	Schakowsky
Harman	McInnis	Schiff
Harris	McIntyre	Schrock
Hart	McKeon	Scott (GA)
Hastings (FL)	McNulty	Scott (VA)
Hastings (WA)	Meek (FL)	Sensenbrenner
Hayes	Meeks (NY)	Serrano
Hayworth	Menendez	Sessions
Hensarling	Mica	Shadegg
Herger	Michaud	Shaw
Hill	Millender-	Shays
Hinchey	McDonald	Sherman
Hinojosa	Miller (FL)	Sherwood
Hobson	Miller (MI)	Shimkus
Hoefel	Miller (NC)	Shuster
Hoekstra	Miller, Gary	Simmons
Holden	Miller, George	Simpson
Holt	Mollohan	Skelton
Hooley (OR)	Moore	Slaughter
Hostettler	Moran (VA)	Smith (MI)
Houghton	Murphy	Smith (NJ)
Hoyer	Murtha	Snyder
Hulshof	Musgrave	Solis
Hunter	Myrick	Souder
Hyde	Nadler	Spratt
Inslee	Napolitano	Stearns
Isakson	Nethercutt	Stenholm
Israel	Neugebauer	Strickland
Issa	Ney	Sullivan
Istook	Nunes	Sweeney
Jackson (IL)	Nussle	Tancred
Janklow	Oberstar	Tanner
Jefferson	Oliver	Tauscher
Jenkins	Ortiz	Tauzin
John	Osborne	Taylor (MS)
Johnson (CT)	Ose	Taylor (NC)
Johnson (IL)	Otter	Terry
Johnson, E. B.	Owens	Thomas
Johnson, Sam	Pallone	Thompson (CA)
Jones (OH)	Pascrell	Thompson (MS)
Kanjorski	Pastor	Thornberry
Kaptur	Payne	Tiberi
Keller	Pearce	Tierney
Kelly	Pelosi	Toomey
Kennedy (MN)	Pence	Towns
Kennedy (RI)	Peterson (MN)	Turner (OH)
Kildee	Peterson (PA)	Turner (TX)
Kilpatrick	Petri	Udall (CO)
Kind	Pickering	Udall (NM)
King (IA)	Pitts	Van Hollen
King (NY)	Platts	Velazquez
Kingston	Pombo	Visclosky
Kirk	Pomeroy	Vitter
Kleczka	Porter	Walden (OR)
Kline	Portman	Waters
Knollenberg	Price (NC)	Watson
Kolbe	Pryce (OH)	Watt
LaHood	Putnam	Waxman
Lampson	Quinn	Weiner
Langevin	Radanovich	Weldon (FL)
Larsen (WA)	Rahall	Weldon (PA)
Larson (CT)	Ramstad	Weller
Latham	Rangel	Wexler
Leach	Regula	Whitfield
Lee	Rehberg	Wicker
Levin	Renzi	Wilson (NM)
Lewis (CA)	Reyes	Wilson (SC)
Lewis (GA)	Reynolds	Wolf
Lewis (KY)	Rodriguez	Woolsey
Linder	Rogers (AL)	Wu
Lipinski	Rogers (KY)	Wynn
LoBiondo	Rogers (MI)	Young (FL)
Lowey	Rohrabacher	

NAYS—5

Honda	Kucinich
Jackson-Lee	Lofgren
(TX)	Paul

NOT VOTING—37

Ballenger	Capuano	Cramer
Boucher	Clay	Davis (TN)

DeLay	Hefley	Smith (TX)
DeMint	Jones (NC)	Smith (WA)
Dooley (CA)	Lantos	Stark
Everett	LaTourette	Stupak
Fletcher	Meehan	Tiahrt
Ford	Moran (KS)	Upton
Frost	Neal (MA)	Walsh
Gephardt	Northup	Wamp
Gibbons	Norwood	Young (AK)
Gilchrest	Obey	
Gillmor	Oxley	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 0623

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ADJOURNMENT TO TUESDAY,
NOVEMBER 25, 2003

Mr. DELAY. Mr. Speaker, I move that when the House adjourns this legislative day, it adjourn to meet at noon on Tuesday, November 25, 2003.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. DELAY).

The motion was agreed to.

APPOINTING DAY FOR THE CON-
VENING OF THE SECOND SES-
SION OF THE 108TH CONGRESS

Mr. DELAY. Mr. Speaker, I offer a joint resolution (H.J. Res. 80), and ask unanimous consent for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the joint resolution.

The Clerk read as follows:

H.J. RES. 80

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DAY FOR CONVENING OF SECOND
REGULAR SESSION OF ONE HUN-
DRED EIGHTH CONGRESS.

The second regular session of the One Hundred Eighth Congress shall begin at noon on Tuesday, January 20, 2004.

SEC. 2. AUTHORITY FOR CALLING SPECIAL SES-
SION BEFORE CONVENING OF SEC-
OND REGULAR SESSION.

If the Speaker of the House of Representatives (or the designee of the Speaker) and the Majority Leader of the Senate (or the designee of the Majority Leader), acting jointly

after consultation with the Minority Leader of the House of Representatives and the Minority Leader of the Senate, determine it is in the public interest for Congress to assemble during the period between the end of the first regular session of the One Hundred Eighth Congress at noon on January 3, 2004, and the convening of the second regular session of the One Hundred Eighth Congress as provided in section 1—

(1) the Speaker and Majority Leader, or their respective designees, shall notify the Members of the House and Senate, respectively, of such determination and of the place and time for Congress to so assemble; and

(2) Congress shall assemble in accordance with that notification.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR ADJOURNMENT
SINE DIE AFTER COMPLETION
OF BUSINESS OF FIRST SESSION
OF 108TH CONGRESS

Mr. DELAY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 339), and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the concurrent resolution.

The Clerk read as follows:

HOUSE CONCURRENT RESOLUTION 339

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on any legislative day from Friday, November 21, 2003, through Friday, November 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, December 2, 2003, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; that when the House adjourns on any legislative day from Tuesday, December 2, 2003, through the remainder of the first session of the One Hundred Eighth Congress, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; that when the Senate recesses or adjourns at the close of business on any day from Friday, November 21, 2003, through Friday, November 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, December 2, 2003, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns at the close of business on any day from Tuesday, December 2, 2003, through the remainder of the first session of the One Hundred Eighth Congress, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider is laid upon the table.

NATIONAL TRANSPORTATION
SAFETY BOARD REAUTHORIZA-
TION ACT OF 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 579) to reauthorize the National Transportation Safety Board, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Transportation Safety Board Reauthorization Act of 2003".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEARS 2003–2006.—Section 1118(a) of title 49, United States Code, is amended—

(1) by striking "and"; and

(2) by striking "such sums to" and inserting the following: "\$73,325,000 for fiscal year 2003, \$78,757,000 for fiscal year 2004, \$83,011,000 for fiscal year 2005, and \$87,539,000 for fiscal year 2006. Such sums shall".

(b) EMERGENCY FUND.—Section 1118(b) of such title is amended by striking the second sentence and inserting the following: "In addition, there are authorized to be appropriated such sums as may be necessary to increase the fund to, and maintain the fund at, a level not to exceed \$3,000,000."

(c) NTSB ACADEMY.—Section 1118 of such title is amended by adding at the end the following:

"(c) ACADEMY.—

"(1) AUTHORIZATION.—There are authorized to be appropriated to the Board for necessary expenses of the National Transportation Safety Board Academy, not otherwise provided for, \$3,347,000 for fiscal year 2003, \$4,896,000 for fiscal year 2004, \$4,995,000 for fiscal year 2005, and \$5,200,000 for fiscal year 2006. Such sums shall remain available until expended.

"(2) FEES.—The Board may impose and collect such fees as it determines to be appropriate for services provided by or through the Academy.

"(3) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, any fee collected under this paragraph—

"(A) shall be credited as offsetting collections to the account that finances the activities and services for which the fee is imposed;